

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

CLEMENTE DALE ]  
Plaintiff, ]  
] ]  
v. ] No. 3:17-cv-0398  
] Judge Trauger  
SHERIFF ROBERT BRYANT ]  
Defendant. ]

M E M O R A N D U M

The plaintiff, proceeding *pro se*, is an inmate at the Wilson County Jail in Lebanon, Tennessee. He brings this action pursuant to 42 U.S.C. § 1983 against Robert Bryant, Sheriff of Wilson County, seeking damages.

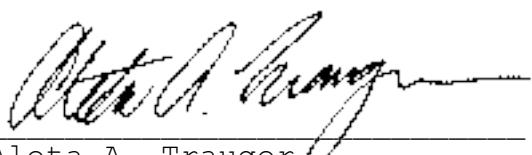
According to the complaint, the plaintiff requested "my standard psychotropic medicine". A doctor and the nurses at the Jail denied his request. The plaintiff believes that he has been denied his right to adequate medical care.

The plaintiff can not sue the defendant solely because of his status as a supervisor or chief executive officer. 42 U.S.C. § 1983 will not support a claim posed on a respondeat superior theory of liability. Polk County v. Dodson, 454 U.S. 312, 325 (1981). Where there is no allegation of participation, either directly or indirectly, by a supervisor in an allegedly wrongful act, the

complaint fails to state a cause of action upon which relief can be granted. See Dunn v. Tennessee, 697 F.2d 121, 128 (6th Cir.1982), cert. denied, 460 U.S. 1086 (1983).

In this case, there has been no showing that the defendant had knowledge of the plaintiff's alleged medical needs or participated, either directly or indirectly, in the decision to deny the plaintiff a particular medication. Personal liability "must be based on the actions of that defendant in the situation that the defendant faced, and not based on any problems caused by the errors of others." Gibson v. Matthews, 926 F.2d 532, 535 (6<sup>th</sup> Cir.1991). Consequently, this action is subject to dismissal because the plaintiff has failed to state a claim against the defendant upon which relief can be granted. 28 U.S.C. § 1915(e)(2).

An appropriate order will be entered.



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Aleta A. Trauger  
United States District Judge